

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A FEMA MITIGATION ASSISTANCE PROGRAM GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR THE ACQUISITION OF RESIDENTIAL STRUCTURES WITH REPETITIVE LOSSES DUE TO FLOODING EVENTS IN THE AREA OF PEACHTREE CREEK, UTOY CREEK AND PROCTOR CREEK; AND FOR OTHER PURPOSES.

WHEREAS, fourteen (14) properties ("Properties") in the area of Peachtree Creek, Utoy Creek and Proctor Creek have been repetitively flooded during several rain events in the past ten years and have been declared as substantially damaged after the September 2009 rain event; and

WHEREAS, The City of Atlanta ("City") Department of Watershed Management ("Department") desires to acquire the Properties and to demolish the structures and return the Properties to permanent open greenspace in perpetuity; and

WHEREAS, the acquisition of the Properties will eliminate future flooding and will provide partial flooding relief to the neighboring properties; and

WHEREAS, the City of Atlanta Department of Watershed Management desires to apply to the Federal Emergency Management Agency (FEMA) Mitigation Assistance program for a grant acquire these repetitive loss and substantially damaged Properties in the area of Peachtree Creek, Utoy Creek and Proctor Creek; and

WHEREAS, the FEMA Mitigation Assistance Program requires a local match of 15% of the total cost of the acquisition which shall come from sources other than City funds, including private funding, as well as State and Federal matching funds and the Neighborhood Alliances which have committed to assume responsibilities of the ongoing maintenance of the properties.

THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY RESOLVES, that the Mayor is hereby authorized to apply for and accept a FEMA Mitigation Assistance Program Grant on behalf of the Department of Watershed Management for the acquisition of residential structures with repetitive losses due to flooding events in the area of Peachtree Creek, Utoy Creek and Proctor Creek.

BE IT FURTHER RESOLVED, that a local match of 15% his grant shall come from sources other than City funds, including private funding, as well as state and federal matching funds and the Neighborhood Alliances which have committed to assume responsibilities of the ongoing maintenance of the properties.

BE IT FINALLY RESOLVED, that all resolutions or parts of resolutions in conflict are hereby waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT AN FEMA MITIGATION ASSISTANCE PROGRAM GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR THE ACQUISITION OF RESIDENTIAL STRUCTURES WITH REPETITIVE LOSSES DUE TO FLOODING EVENTS IN THE AREA OF PEACHTREE CREEK, UTOY CREEK AND PROCTOR CREEK; AND FOR OTHER PURPOSES.

Council Meeting Date: February 15, 2010

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to authorize the Mayor of the City of Atlanta to apply for and accept a FEMA Flood Mitigation grant to acquire repetitive loss and substantially damaged Properties in the area of Peachtree Creek, Utoy Creek and Proctor Creek, demolish the structures and return the properties to permanent open greenspace in perpetuity, with a local match of 15% of the total cost of the acquisition.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The properties have been repetitively flooded during several rain events in the past ten years and have been declared as substantially damaged after the 2009 rain event. The acquisition of these properties will eliminate future flooding and will provide partial flooding relief to the neighboring properties.

In addition, the local match will come from sources other than City funds, including private funding, as well as State and Federal matching funds and the Neighborhood Alliances have committed to assume responsibilities of the ongoing maintenance of the properties.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center (Ex. *Name and number*): n/a

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: n/a

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: n/a

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Seham Abdulahad

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: Chief of Staff

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____
Committee(s) of Purview: _____ City Utilities Committee _____

Chief of Staff Deadline: _____ January 29, 2009 _____

Anticipated Committee Meeting Date(s): _____ February 9, 2010 _____

Anticipated Full Council Date: _____ February 15, 2010 _____

Legislative Counsel's Signature: _____

Commissioner Signature: _____ Robert J. Hunter &P _____

Chief Procurement Officer Signature: _____ n/a _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A FEMA MITIGATION ASSISTANCE PROGRAM GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR THE ACQUISITION OF RESIDENTIAL STRUCTURES WITH REPETITIVE LOSSES DUE TO FLOODING EVENTS IN THE AREA OF PEACHTREE CREEK, UTOY CREEK AND PROCTOR CREEK; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): n/a
Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 1.26.10 _____ Reviewed by: _____ 1/27/10
(date) (date)

Submitted to Council: _____
(date)